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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/748,688	12/31/2003	J. Theodore Cherry	066479.0114

24735
 BAKER BOTTS LLP
 C/O INTELLECTUAL PROPERTY DEPARTMENT
 THE WARNER, SUITE 1300
 1299 PENNSYLVANIA AVE, NW
 WASHINGTON, DC 20004-2400



CONFIRMATION NO. 1982
 FORMALITIES LETTER



OC000000012552168

Date Mailed: 05/06/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$180** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1080** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

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01 FC:2001
 02 FC:2051

385.00 OP
 65.00 OP

- Total additional claim fee(s) for this application is **\$180**

- **\$180** for **10** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



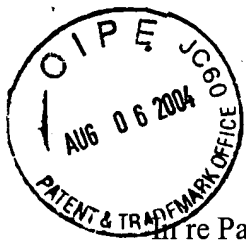
Customer Service Center

Initial Patent Examination Division (700) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



FEE TRANSMITTAL [MAIL STOP MISSING PARTS]		Complete If Known				
		Application No.	10/748,688			
		Filing Date	December 31, 2003			
		First Named Inventor	J. Theodore Cherry			
		Examiner Name	To be assigned			
		Group Art Unit	2632			
Total Amount Of Payment (\$)		505.00	Attorney Docket No.	066479.0114		
METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)				
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to Deposit Account No. 02-0375 in the name of Baker Botts L.L.P.		3. ADDITIONAL FEES				
<input type="checkbox"/> Charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 02-0375 .		Fee Description		Fee Paid		
		<input checked="" type="checkbox"/> Surcharge - late filing fee or oath		\$ 65.00		
		<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet		\$		
		<input checked="" type="checkbox"/> Extension for reply with 1 month		\$ 55.00		
		<input type="checkbox"/> Notice of Appeal		\$		
		<input type="checkbox"/> Filing Brief in Support of Appeal		\$		
		<input type="checkbox"/> Request for Oral Hearing		\$		
		<input type="checkbox"/> Utility Issue Fee (or reissue)		\$		
		<input type="checkbox"/> Design Issue Fee		\$		
		<input type="checkbox"/> Plant Issue Fee		\$		
		<input type="checkbox"/> Petitions to Commissioner		\$		
		<input type="checkbox"/> Petition to Revive (unavoidable)		\$		
		<input type="checkbox"/> Petition to Revive (unintentional)		\$		
		<input type="checkbox"/> Petitions Related to Provisional Applications		\$		
		<input type="checkbox"/> Submission of Information Disclosure Statement		\$		
		<input type="checkbox"/> Filing Submission After Final Rejection		\$		
		<input type="checkbox"/> Recordation of Assignment Document		\$		
		<input type="checkbox"/> Filing Request for Reexamination		\$		
		<input type="checkbox"/> Other (Publication Fee and Payment for Advanced Copies)		\$		
2. <input checked="" type="checkbox"/> Check Enclosed. The Commissioner is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to Deposit Account No. 02-0375 in the name of Baker Botts L.L.P., The Warner, Suite 1300, 1299 Pennsylvania Avenue, N.W., Washington, D.C. 20004-2400.						
FEE CALCULATION						
1. BASIC FILING FEE <input type="checkbox"/> Large Entity <input checked="" type="checkbox"/> Small Entity						
		Fee Paid				
Utility Filing Fee		\$385.00				
Design Filing Fee		\$				
Plant Filing Fee		\$				
Reissue Filing Fee		\$				
Provisional Filing Fee		\$				
2. EXTRA CLAIMS FEES						
CLAIMS AS AMENDED						
For	Number Present	Highest Number Paid For	Extra	Rate		Amount
				Large Entity	Small Entity	
TOTAL CLAIMS		20	0	x \$ 18.00	x \$ 9.00	\$0.00
INDEPENDENT CLAIMS		3	0	x \$ 86.00	x \$ 43.00	\$0.00
MULTIPLE DEPENDENT CLAIMS				\$ 290.00	\$ 145.00	\$0.00
TOTAL EXTRA CLAIMS FEES						\$0.00
SUBMITTED BY						Complete (if applicable)
Typed or Printed Name		James B. Arpin			Registration No.	33,470
Signature		Date 8/6/04			Deposit Account User ID	02-0375



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

J. Theodore CHERRY.

Application Number: 10/748,688

Filed: December 31, 2003

For: SYSTEMS FOR PREDICTING
EARTHQUAKES AND METHODS
OF EMPLOYING SUCH SYSTEMS

)
)
) Group Art Unit: 2632

)
) Examiner: Not yet assigned

)
) **Confirmation No: 1982**

RESPONSE TO NOTICE TO FILE MISSING PARTS AND REQUEST FOR ONE-MONTH
EXTENSION OF TIME TO RESPOND

MAIL STOP MISSING PARTS

Commissioner of Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In response to the attached Notice to File Missing Parts of Nonprovisional Application (NTFMP) mailed May 8, 2004, by the U.S. Patent and Trademark Office (PTO), Applicants are enclosing an executed Declaration for Patent Application with an Application Data Sheet, an executed Power of Attorney, the filing fee, the one-month extension fee, and the late filing surcharge.

Applicants are enclosing a check in the amount of \$450.00 to cover the filing fee (\$385.00), one-month extension fee (\$55.00), and the late filing surcharge (\$65.00). Nevertheless, in the event of any variance between the fees determined by Applicants and those

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03 FC:2251

55.00 0P

determined by the U.S. Patent and Trademark Office, please charge or credit any such variance to the undersigned's Deposit Account No. 02-0375.

Respectfully submitted,
BAKER BOTTS, L.L.P.

Dated: August 6, 2004

By: 

James B. Arpin
Registration No. 33,470

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JBA/dh
Enclosures